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on February 2, 2004

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Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- Transmittal of Petition In Response to Notice Of Abandonment dated October 21, 2003 for Patent Application, Serial Number 09/992,681. Our Ref: 68.0176US] (24 pages)
- 2. Authorization to charge any fees to Deposit Account No. 50-0457.

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the Individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



FEB 0 2 2004



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Goode, Peter et al

Serial No.: 09/992,681

Filed: November 19, 2001

For: Downhole Measurement Apparatus And

Technique

Confirmation No.: 5874

Group Art Unit: 3672

Examiner: Dang, Hoang C.

Attorney Docket: 68.0176

ATTN: Office of Petitions Mail Stop Missing Parts

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

First class mail.

February 2, 2004

Date

CERTIFICATE OF TRANSMISSION 37 C.F.R. 1.8 & 1.10

I hereby certify that this document and its attachments are being sent on the date indicated below to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by: x Facsimile to number (703) 872-9306.

Express Mail: Post Office to Addressee No.

PETITION

Sir:

This petition is being re-submitted via facsimile transmission in response to the Notice of Abandonment mailed on October 21, 2003; original copy of the response was filed October 30, 2003 via Express Mail, copies of Express Mail Label and USPTO Mail room date stamped postcard enclosed, (Exhibit 4 and 5).

The Assistant Commissioner is authorized to deduct the petition fee (37 C.F.R. 1.17(h)) in the amount of \$130.00 from Schlumberger Technology Corporation Deposit Account No. 50-0457. The Assistant Commissioner is also authorized to deduct any other fees required for this petition from Schlumberger Technology Corporation Deposit Account No. <u>50-0457</u>.

If the petition is granted, please refund the petition fee to Schlumberger Technology Corporation Deposit Account No. <u>50-0457</u>.

Applicant respectfully requests reconsideration, that the application be reinstated with its original filing date of November 19, 2001 and that the petition fee be refunded.

Respectfully submitted,

Jeffrey E. Griffin Reg No. 36/34

Please address correspondence to:

Jeffrey E. Griffin Schlumberger Technology Corporation 14910 Airline Road P.O. Box 1590 Rosharon, Texas 77583-1590

Phone: (281) 285-5720 Fax: (281) 285-5537

October 30, 2003

Goode, Peter et al Vo: 09/992,681

Docket No: 68.0176

Date Filed: November 19, 2001
For: Oownhole Measurement Apparatus And Technique

Dear Sir.
Kindly acknowledge receipt of the enclosed materials by placing your mailroom stamp on this postcard and returning same. The following items were transmitted by Express Mail, Label No. EV 337 085 665 US on the above date:

- Petition Under 37 C.F.R. §1.181 for Notice of Abandonment with Exhibits
 Authorization to Charge PTO Account No. <u>50-0457</u>
 Post Card.

Thank you,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 0 2 2004

In re Application of:

Goode, Peter A. et al

Serial No.: 09/992,681

Filed: November 19, 2001

For: DOWNHOLE MEASUREMENT

APPARATUS AND TECHNIQUE

Group Art Unit:

3672

OFFICIAL

Examiner:

Dang, Hoang C.

Atty. Docket: 68.0176

Commissioner for Patents MAIL STOP PETITIONS P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING 37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service as Express Mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450, on the date below:

Evenson Mail I shall bla

October 30, 2003

Date

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Dati

Sir:

PETITION UNDER 37 C.F.R. § 1.181 IN RESPONSE TO NOTICE OF ABANDONMENT

This Petition is being filed in response to the Notice of Abandonment mailed on October 21, 2003. (Exhibit 1). The Notice states that the above-referenced application has been abandoned for failure to timely file a proper reply to the Office letter mailed on March 17, 2003. In view of the remarks set forth below, Applicant respectfully request withdrawal of the Notice of Abandonment and reinstatement of the above-referenced application with its original filing date of November 19, 2001.

On March 26, 2003, Applicant timely filed a response to the Office Action Summary by facsimile transmission addressed to Examiner H. Dang at the facsimile number provided in the Office Action (Exhibit 2).

The facsimile transmission report is attached (Exhibit 3) as evidence the facsimile was transmitted and received by Group Art Unit 3600 of the Patent Office on March 26, 2003 at 12:24 pm pacific standard time.

In view of these facts, Applicant submit that the documents as described above were filed in a timely manner, so the above-referenced application was not abandoned and should not now be considered abandoned. Accordingly, it is respectfully requested that the attached documents be accepted and entered into the file for the above-referenced application. It is further respectfully requested that the Commissioner withdraw the Notice of Abandonment and reinstate the application with its original filing date.

It is not believed that any fees are required for filing this Petition due to the mistake being on the part of the Patent Office. However, the Commissioner is authorized to charge Deposit Account No. 50-0457 for any fees which may be required.

Respectfully submitted,

Date: October 30, 2003

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Schlumberger Reservoir Completions 14910 Airline Rd.

P.O. Box 1590

Houston, Texas 77583-1590

Telephone: (281) 285-5720 Facsimile: (281) 285-5537



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.nspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/992,681	11/19/2001 Peter A. Goode		68.0176	5874	
7590 10/21/2003 Schlumberger Technology Corporation Schlumberger Reservoir Completions 14910 Airline Road			EXAMINER DANG, HOANG C		
		RECEIVED ARTUNIT		PAPER NUMBER	
P.O. Box 1590 Rosharon, TX	77583-1590		3672		
,	1000 1000	OCT 2 4 2003	DATE MAILED: 10/21/2003		
		I.P. LAW DEPT.	•		
•		LILL CANA DEL 1.			

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Notice of About	09/992,681	
Notice of Abandonment	Examiner	GOODE ET AL.
·	Hanna Bara	·
The MAILING DATE of this communication	Hoang Dang	3672
This application is abandoned in view of:	·· -pp-da/3 on the cover sheet wi	In the correspondence address
Applicant's failure to timely file a proper reply to the (a) A reply was received on (with a Certificate period for reply (including a total extension of tim (b) A proposed reply was received on, but it to	e of Mailing or Transmission dated), which is after the expiration of
application in condition for allowance; (2) a timely Continued Examination (RCE) in compliance with	ection consists only of: (1) a timely r filed Notice of Appeal (with appea r 37 CFR 1.114)	filed amendment which places the al fee); or (3) a timely filed Request for
(c) A reply was received on but it does not confinal rejection. See 37 CFR 1.85(a) and 1.111. (S	nefituto e necesione I	de attempt at a proper reply, to the non-
(d) No reply has been received.	,	
Applicant's failure to timely pay the required issue fee from the mailing date of the Notice of Allowance (PTC		
(a) The issue fee and publication fee, if applicable,), which is after the expiration of the statutor Allowance (PTOL-85).	Man roadinal	Certificate of Mailing or Transmission da fee (and publication fee) set in the Notice
(b) The submitted fee of \$ is insufficient. A bala	ance of \$ is due	
The issue fee required by 37 CFR 1.18 is \$. The publication fee if required	by 37 CED 1 10(d) :- c
(c) The issue fee and publication fee, if applicable, has	s not been received.	by 37 CPR 1.16(d), is \$
Applicant's failure to timely file corrected drawings as re Allowability (PTO-37).		onth period set in, the Notice of
(a) Proposed corrected drawings were received on after the expiration of the period for reply.	(with a Certificate of Mailing or	r Transmission dated), which is
(b) ☐ No corrected drawings have been received.		•
☐ The letter of express abandonment which is signed by the applicants.	the attorney or agent of record, the	e assignee of the entire interest, or all of
The letter of express abandonment which is signed by a 1.34(a)) upon the filing of a continuing application.	an attorney or agent (acting in a re	presentative capacity under 37 CFR
☐ The decision by the Board of Patent Appeals and Interfe of the decision has expired and there are no allowed cla	erence rendered on and beatins.	cause the period for seeking court review
The reason(s) below:		

TX REPORT ************

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March 26, 2003 on

Date

Signature Cherita Persons-Grimstead

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- 1. Transmittal of Response to Restriction Requirement for Patent Application Serial Number 09/992,681. [Our Ref: 68.0176US] (2 pages)
- 2. Authorization to charge any fees to Deposit Account No. 50-0457.

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE and to a collection of information unless it contains a valid OMB control number. Under the Paperwork Reduction Act of 1995, no persons are required to respon

Certificate of Transmission under 37 CFR 1.8

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March 26, 2003

Date

Signature Cherita Persons-Grimstead

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- 1. Transmittal of Response to Restriction Requirement for Patent Application Serial Number 09/992,681. [Our Ref: 68.0176US] (2 pages)
- 2. Authorization to charge any fees to Deposit Account No. 50-0457.

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the Individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant: § GOODE, P. et al § Group Art No.: 3672 Ş Serial No.: 09/992,681 Examiner: Dang, H.C. Filed: November 19, 2001 Docket No: 68.0176 Title: Downhole Measurement Apparatus And Technique

Commissioner for Patents Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the restriction requirement mailed on March 17, 2003, the Assignee elects the claims of Group I (claims 1-20, 31-56, and 61-81) and the species of Figures 2-12 without traverse. Claims within Group I and readable on the elected species are claims 1-5, 7-8, 10-15, 17-18, 20, 31-56, 61-62, 64-68, 70-78.

The Commissioner is authorized to pay any additional fees or credit any overpayment to Deposit Account No. 50-0457.

Respectfully submitted,

E. Griffin/Reg. No. 36,534

Schluhherger Thuhnology Corporation

P.O. Box 1590

Rosharon, TX 77459

(281) 285-5720

(281) 285-5537

Date of Deposit: 26 March

I hereby certify under 37 CFR 1.6(d) that this correspondence is being facsimile transmitted on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington DC 20231.

Fax No.: (703) 305-3597



UNTIED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARK Washington, D.C. 20231

A DRI ICA TO CANADA			Washington, D.C. 20231	ATENTS AND TRADEMARKS	
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO. CONFIRMATION NO		
09/992,681	11/19/2001	Peter A. Goode	68.0176	CONFIRMATION NO. 5874	
7590 03/17/2003 Schlumberger Technology Corporation Schlumberger Reservoir Completions 14910 Airline Road P.O. Box 1590 Rosharon, TX 77583-1590		1	EXAMI	NED	
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		I.P. LAW DEPT	DATE MAILED: 03/17/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Application No.	Applicant(s)
		09/992,681	GOODE ET AL.
	Office Action Summary	Examiner	Art Unit
`		Hoang Dang	3672
Period fo	- The MAILING DATE of this communication a	appears on the cover sheet with the c	correspondence address -
A SH THE - Exter after - If the - If NC - Faiku	IORTENED STATUTORY PERIOD FOR REF MAILING DATE OF THIS COMMUNICATION nsions of time may be available under the provisions of 37 CFR SIX (6) MONTHS from the mailing date of this communication. Period for reply specified above is less than thirty (30) days, a not period for reply is specified above, the maximum statutory performs to reply within the set or extended period for reply will, by statingly reply received by the Office later than three months after the main department term adjustment. See 37 CFR 1.704(b).	V. 1.136(a). In no event, however, may a reply be timely within the statutory minimum of thirty (30) days od will apply and will expire SIX (6) MONTHS from	eely filed s will be considered timely. the mailing date of this communication.
1)	Responsive to communication(s) filed on		
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	Since this application is in condition for allow closed in accordance with the practice unde on of Claims	wance except for formal matters, pro er <i>Ex parte Quayle</i> , 1935 C.D. 11, 45	osecution as to the ments is 53 O.G. 213.
	Claim(s) <u>1-81</u> is/are pending in the application		
	la) Of the above claim(s) is/are withdra	awn from consideration.	
5) 🗌 (Claim(s) is/are allowed.		
	Claim(s) is/are rejected.		
7) 🗆 (Claim(s) is/are objected to.		
8)⊠ (Applicatio	Claim(s) <u>1-81</u> are subject to restriction and/or n Papers	election requirement.	
9)□ ⊤	he specification is objected to by the Examine	er.	
	ne drawing(s) filed on is/are: a) acce		ner
	Applicant may not request that any objection to th	e drawing(s) be held in abevance. See	37 CFR 1 85(a)
11) Th	ne proposed drawing correction filed on	is: a) approved b) disapprove	d by the Fxaminer
	If approved, corrected drawings are required in re	ply to this Office action.	, <u></u>
12)☐ Th	e oath or declaration is objected to by the Ex	aminer.	
Priority un	der 35 U.S.C. §§ 119 and 120		
13)□ A	cknowledgment is made of a claim for foreign	n priority under 35 U.S.C. § 119(a)-(d) or (f).
a)□	All b) Some * c) None of:		-, (,).
1.	Certified copies of the priority documents	s have been received.	
2.	Certified copies of the priority documents	s have been received in Application	No.
3.	Copies of the certified copies of the priori application from the International Bur	ity documents have been received in	n this National Stage
* See	the attached detailed Office action for a list of	of the certified copies not received.	
14)L_ Ack	nowledgment is made of a claim for domestic	priority under 35 U.S.C. § 119(e) (t	o a provisional application).
a)] The translation of the foreign language prov nowledgment is made of a claim for domestic	visional application has been receive priority under 35 U.S.C. §§ 120 an	ed. d/or 121.
Attachment(s)			
2) Notice of 3) finformation	References Cited (PTO-892) Draftsperson's Patent Drawing Review (PTO-948) on Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of Informal Pater	O-413) Paper No(s) nt Application (PTO-152)
U.S. Patent and Tradem PTO-326 (Rev. 04		on Summary	Part of Paper No. 5

Application/Control Number: 09/992,681

Art Unit: 3672

Page 2

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-20, 31-56 and 61-81, drawn to a system or method usable with a subterranean well, classified in class 166, subclass 250,001.
 - II. Claims 21-30, drawn to a resistivity tool, classified in class 324, subclass 352.
 - III. Claims 57-60, drawn to a method of establishing fluid communication between an exterior of a casing and its interior, classified in class 166, subclass 297.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II or III are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the detailed structure of the resistivity tool (e.g., transmitter, receiver, circuit) of Group II or the piercing of the casing of Group III are not required by the combination claims (e.g., see claims 1, 11, 75, 79). The subcombination has separate utility such as a tool for measuring resistivity having no packer or/and puncher (Group II) and a method for producing a well wherein the communication between the exterior of the casing and its interior thereof is for the purpose of production.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and the search required for one

02/02/04 MON 10:31 FAX 281 285 5537

Application/Control Number: 09/992,681

Art Unit: 3672

Page 3

Group is not required for another Group, restriction for examination purposes as indicated is proper.

This application further contains claims directed to the following patentably distinct 4. species of the claimed invention: the species of figures 2-12; the species of figures 13-14; the species of figures 13-14; the species of figure 15; the species of figures 16-17; the species of figure 18; the species of figure 20-21

Aplicant is further required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the

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Application/Control Number: 09/992,681

Art Unit: 3672

Page 4

examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

- 5. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang Dang whose telephone number is 703-308-2149. The examiner can normally be reached on 9:15-5:45 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Bagnell can be reached on 703-308-2151. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3597 for regular communications and 703-305-3597 for After Final communications.

Application/Control Number: 09/992,681

Art Unit: 3672

Page 5

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2168.

Hoang Dang Primary Examiner Art Unit 3672

09992681.res March 13, 2003.

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Jo: ExamiNER H. DANG FAX: (703) 305-3597

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on March 26, 2003

Date

Signature Cherita Persons-Grimstead

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Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- Transmittal of Response to Restriction Requirement for Patent Application Serial Number 09/992,681. [Our Ref: 68.0176US] (2 pages)
- 2. Authorization to charge any fees to Deposit Account No. 50-0457.



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Docket No: 68.0176

October 30, 2003

Applicant: Goode, Peter et al Serial No: 09/992,681 Date Filed: November 19, 2001

For. .

Downhole Measurement Apparatus And Technique

Dear Sir.

Kindly acknowledge receipt of the enclosed materials by placing your mailroom stamp on this postcard and returning same. The following items were transmitted by Express Mail, Label No. EV 337 085 665 US on the above date:

Petition Under 37 C.F.R. §1.181 for Notice of Abandonment with Exhibits
 Authorization to Charge PTO Account No. 50-0457
 Post Card.

Thank you,